

**REMARKS**

**Status of the Application**

Claims 1-17 are all the claims pending in the application.

**Objections to the Claims**

Applicant has amended claims 1, 3, 5, and 6, as suggested by the Examiner (Office Action page 2), and requests that the objection be withdrawn.

**Amendments to the Claims**

Applicant has amended claims 1, 3, 5, 6, 8, and 10 to claim aspects of the invention with more particularity. Applicant submits that the amendments are supported throughout the specification, and do not constitute new matter.

**Claim Rejections - 35 U.S.C. § 112**

Claims 1-2, 5, 7, 9, and 11-15 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended independent claims 1, 5, and 6 and requests that the rejection be withdrawn. Applicant submits that the amended claims are supported throughout the specification, and do not constitute new matter.

**Claim Rejections - 35 U.S.C. § 102**

Claims 1-10 and 14-17 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Iwata (JP Publication No JP11192761, hereinafter "Iwata").

Applicant respectfully submits that the cited reference does not teach or suggest all of the recited features of the claims.

Claim 1

For example, claim 1 recites, *inter alia*, a processing interruption section that interrupts the creation of the paper image by the paper image creating section and the output of the created paper image on the paper by the output processing section in the event that the page disposed on the layout juts out from the imaginary page frame.

The Examiner asserts that the printer of Iwata (FIG. 2, element 3) and paragraph 0002 of Iwata disclose a processing interruption section as recited in the claim (Office Action, pages 3-4). The Examiner asserts that Iwata discloses that “whenever it is detected that the printing data is not the fixed form size, but full bleeding paper, by which the printing data ‘bleeds’ or extends over the imaginary page frame, the process is interrupted so that the printing data is able to be re-created by being analyzed again and expanded prior to being sent to the printer” (Office Action, pages 3-4).

As discussed in Iwata, when a full bleeding paper is designed as a paper for output, the process of expanding the printing data is additionally carried out, compared with when a fixed form size paper is designed (paragraph 0021). To the extent that the process of expanding the printing data occurs in Iwata, such a process merely delays (i.e., slows) the process for output.

Applicant respectfully submits that the Examiner’s interpretation of this delay in Iwata as disclosing an interruption, as recited by claim 1, is unsupported. Applicant submits that one of ordinary skill in the art would interpret an interruption of a process as meaning the process is stopped, and such an interruption is neither taught nor suggested by the mere delay of a process by Iwata.

Accordingly, Applicant submits that Iwata does not teach or suggest a processing interruption section that interrupts the creation of the paper image by the paper image creating

section and the output of the created paper image on the paper by the output processing section in the event that the page disposed on the layout juts out from the imaginary page frame, as recited in claim 1.

As the cited reference does not teach or suggest all of the recited features of the claim, claim 1 is patentable over the cited reference. Claim 5 recites features similar to those discussed above and is patentable for analogous reasons. Claims 2, 7-9, 14, and 15 are patentable at least by virtue of their dependency.

Claim 15 describes more particularly the interruption more particularly indicating that no image is printed due to the interruption section providing an interruption. The Examiner's rejection of claim 15 postulates that no printing occurs because of an "out of paper" condition (Office Action, pages 5-6). However, claim 15 describes that interruption occurs due to a layout jutting out from the imaginary page frame. Applicant respectfully submits that this is completely different from the Examiner's "out of paper" condition. Moreover, by the Examiner's own reasoning, it is also quite possible that the correct paper size is present, in which case the image is printed without interruption. Accordingly, Applicant respectfully submits that the Examiner's rejection is based on pure speculation, and rejections based on mere possibility are not supportable (see *In re Robertson*, 169 F.3d 743, 49 USPQ2d 1949 (Fed. Cir. 1999)).

### Claim 3

Regarding independent claim 3, the claim recites, *inter alia*, a page size adjusting section that performs a size reduction to coincide the page disposed on the layout with an imaginary page frame which is larger than the page frame on the layout in the event that the page disposed on the layout juts out from the imaginary page frame; and a paper image creating section that

creates a paper image in such a manner that the page reduced in size in the page size adjusting section is disposed in the page frame on the layout, so that a whole of the paper, in which the page is disposed, is provided in form of an image.

Applicant respectfully submits that to the extent that Iwata discloses adjusting printing data, such an adjustment is at most an expansion and not a reducing of printing data (see e.g., Problem to be Solved). Accordingly, Iwata does not teach or suggest a page size adjusting section that performs a size reduction to coincide the page disposed on the layout with an imaginary page frame which is larger than the page frame on the layout, as recited in claim 3.

As the cited reference does not teach or suggest all of the recited features of the claim, claim 3 is patentable over the cited reference. Claim 6 recites features similar to those discussed above and is patentable for analogous reasons. Claims 4, 10, 16, and 17 are patentable at least by virtue of their dependency.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 11-13 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Iwata in view of Matsuoka (US Patent No. 5,337,668, hereinafter "Matsuoka").

Applicant respectfully submits that Matsuoka, alone or in combination, fails to cure the deficiencies of Iwata, detailed above, and accordingly, claims 11-13 are patentable over the references at least by virtue of their dependency on claim 1, shown above to be patentable over Iwata.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

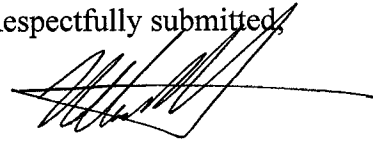
AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/721,342

Attorney Docket No.: Q78531

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned Attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



---

Nathan Milakovich  
Registration No. 60,376

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 5, 2010